

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

m0470089  
Task ID#6173  
cc: ASPWL

RECEIVED

JUL 28 2014

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DIV. OF OIL, GAS & MINING

APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE EXPLORATION

Application is hereby made to transfer the permit to commence exploration for the  
TME Asphalt Ridge, LLC 7181 project, permit # E/<sup>M0470</sup>/089, currently  
operated by ~~TME Asphalt Ridge, LLC~~ TME Asphalt Ridge LLC (transferor)  
to TMC Capital, LLC (transferee).

As used herein, TRANSFEROR refers to the current operator; TRANSFeree refers to the  
proposed new operator; NOI refers to the Notice of Intention to Commence Exploration  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct exploration operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct exploration operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the exploration operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.



The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

TME Asphalt Ridge, LLC

Operator/Transferor Name

By MICHAEL SCHIFF

Name of Authorized Officer (Typed or Printed)

VICE PRESIDENT & CHAIRMAN of the Board of Directors

Title of Authorized Officer

Michael Schiff

Officer's Signature

7-25-2014  
Date

STATE OF Texas)

COUNTY OF Fort Bend) ss:

On the 25<sup>th</sup> day of July, 20 14, Michael Schiff personally appeared before me, who being by me duly sworn did say that he/she is an VP & Chairman (owner, officer, director, partner, agent or other (specify)) of the Operator Temple Mountain Energy Asphalt Ridge LLC and duly acknowledged that said instrument was signed on behalf of said Operator by authority of its bylaws, a resolution of its board of directors, or as may otherwise be required to execute the same with full authority and to be bound hereby.

Amanda Castaneda

Notary Public

Comerica Bank, Fort Bend

Residing at

4.4.16

My Commission Expires:





The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

TMC Capital, LLC

Operator/Transferee Name

By Boris Treyzon

Name of Authorized Officer (Typed or Printed)

Manager

Title of Authorized Officer

[Signature]  
Officer's Signature

7/16/14  
Date

STATE OF California )

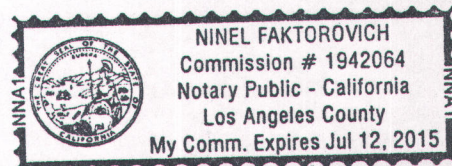
COUNTY OF Los Angeles ) ss:

On the 24 day of July, 2014, Boris Treyzon  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Manager (owner, officer, director, partner, agent or other (specify))  
of the Operator TMC Capital, LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

[Signature]  
Notary Public

Los Angeles, California  
Residing at

July 12, 2015  
My Commission Expires:





File Number E/\_\_\_\_\_/\_\_\_\_\_  
DOGM Lead \_\_\_\_\_

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DIV. OF OIL, GAS & MINING

NOTICE OF INTENTION TO CONDUCT EXPLORATION

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The information requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program (R647). The rules and Act are available online at <http://www.rules.utah.gov/publicat/code/r647/r647.htm> and [http://le.utah.gov/~code/TITLE40/40\\_08.htm](http://le.utah.gov/~code/TITLE40/40_08.htm). A Notice of Intention to Conduct Exploration expires on November 30 of the year following the year of submittal though it can be extended if requested. An extension may require an increase in the surety.

**Note on confidentiality:** Information provided in the notice of intention relating to the location, size, or nature of the mineral deposit that is clearly marked confidential will be protected as confidential. Each page or map requested to be kept confidential must be stamped or marked as such.

R647-1-106 - "Exploration" means surface disturbing activities conducted for the purpose of discovering a deposit or mineral deposit, delineating the boundaries of a deposit or mineral deposit, and identifying regions or specific areas in which deposits or mineral deposits are most likely to exist. "Exploration" includes, but is not limited to: sinking shafts; tunneling; drilling holes and digging pits or cuts; building of roads, and other access ways;" (and constructing and operating other facilities related to these activities).

I. **GENERAL INFORMATION (Rule R647-2-104)**

1. **Name of Mine:** TME Asphalt Ridge, LLC

2.A. **Name of Entity Applying for Permit:** TMC Capital, LLC

Contact (Authorized Officer): Boris Treyzon / Vladimir Podlipski *Podlipskiy*

Address: 9701 Wilshire Blvd., Suite 1000

City, State, Zip: Beverly Hills, CA 90212

Phone: 310 407 7888/ 323 356 4768 Fax: 888 201 8676

E-mail Address: consvp@gmail.com

Entity is a: ☐ Corporation ☒ LLC ☐ Sole Proprietorship (dba) ☐ Individual  
☐ Partnership (☐ General or ☐ limited) ☐ Other (specify type) \_\_\_\_\_

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations [www.commerce.utah.gov](http://www.commerce.utah.gov).**

2.B. Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Entity # 8495484-0160

Local Business License # N/A (not necessarily required)

Issued by: County \_\_\_\_\_ or City \_\_\_\_\_

Registered Utah Agent (as identified with the Utah Department of Commerce):

Name: Quick Data Services, Incorporated

Address: 2005 East 2700 South Ste 200

City, State, Zip: Salt Lake City, UT 84109

Phone: n/a

Fax: \_\_\_\_\_

E-mail Address: n/a



**2.C. Entity's Representative(s) (if different from #2A) authorized and designated to receive notices of violation, cessation orders, and all other notices to be given to the permittee or operator by the Division**

Name: Boris Treyzon / Vladimir Podlipitski

Address: 9701 Wilshire Blvd., Suite 1000

City, State, Zip: Beverly Hills, CA 90212

Phone: 310 407 7888 / 323 356 4768

Fax: 888 201 8676

E-mail Address: consvp@gmail.com

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**3a. If Business is a Sole Proprietor (dba) or Individual:**

Name of Owner: \_\_\_\_\_

Title: \_\_\_\_\_

Business Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**3b. If Business is a Corporation:**

Name of Officers: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Headquarters Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**3c. If Limited Liability Company:** ☐ Member Managed ☒ Manager Managed**Name of 1<sup>st</sup> Member/Manager:** Boris Treyzon

Address: 9701 Wilshire Blvd., Suite 1000

City, State, Zip: Beverly Hills, CA 90212

Phone: 310 407 7888

Fax: 310 407 7915

E-mail Address: bt@treyzon.com

**Name of 2<sup>nd</sup> Member/Manager:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**3d. If Business is a Partnership:**

Names of First Partner: \_\_\_\_\_

Business Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Names of Second Partner: \_\_\_\_\_

Business Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_



**VI. SURETY** (Utah Code Ann. §40-8-7(1)[c])

**A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations. No surface disturbance is authorized until the surety is posted and approved in writing.**

The surety may be provided in the form of a certificate of deposit, a letter of credit, a surety bond, or cash. Please contact the Division for further information about submitting the surety. All mining and exploration operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).

The reclamation surety amount is based on the nature, extent and duration of operations. The amounts are based on data from current large mine sureties and are used as a general guide, along with actual site conditions. Reclamation sureties for exploration operations are projected into the future one year based on a cost index, and an extension of the exploration notice will require a review of the surety amount. Please contact the Division for further information about the amount required.

**VII. PERMIT FEE** (Utah Code Ann. §40-8-7(1)(i))

A permittee's authorization under a notice of intention to conduct exploration operations shall require the paying of annual permit fee of \$150 as authorized by the Utah Legislature (R647-2-102.5). Permit fee is due at the time of application for new exploration operations, and January of each year for existing exploration operations, until the project disturbances are successfully reclaimed.

**VIII. SIGNATURE REQUIREMENT****CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned exploration project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; **or** (4.) the member or manager if applicant is a limited liability company.

Signature:  \_\_\_\_\_

Date: 07/16/2014

Name (typed or printed): Boris Treyzon

Title/Position (if applicable): Manager